

REMARKS

Summary of the Office Action

In the Office Action, claims 1-9 are pending.

Claims 1-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Jokinen*, U.S. Patent Application No. 2003/0027581, in view of *Hurst*, U.S. Patent No. 7,149,545.

Summary of the Response to the Office Action

Based on the arguments presented below, claims 1-9 are pending for further consideration.

All Claims are Allowable

In the Office Action, claims 1-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Jokinen* (U.S. Patent Application No. 2003/0027581) in view of *Hurst* (U.S. Patent No. 7,149,545).

Applicant respectfully traverses the rejection of claims 1-9 for the following reasons.

Independent claim 1

With regard to independent claim 1, Applicant respectfully asserts that that *Jokinen* and *Hurst*, whether viewed singly or in combination, do not teach, fairly suggest or can be combined to disclose, at least, a method for the automatic management of terminal-dependant information, including, “the detection of the unique identity of the terminal that the subscriber is currently using; the remapping of the unique identity to properties, including type of terminal; the adaptation of information about properties to services for the type of terminal detected; and the presentation of the adapted information on the said terminal.” Support for these features recited in independent claim 1 can be found at least in the summary of the invention and the detailed description of the originally filed specification, namely page 4, lines 18-35.

With regard to the method for the automatic management of terminal-dependant information recited in independent claim 1, Applicant respectfully notes that an objective of the present invention is to automatically adapt information for a terminal, by correlating the identity of the terminal with information regarding properties of different models, whereby it is possible with the aid of the invention to present information about properties to services. This objective is applicable in view of the already varied and increasingly varying terminals. Terminal subscribers use and adopt multiple terminals, most of which do not conform. As such, the ability to adapt information for a terminal is a benefit separate and distinct from the ability to automatically provision mobile units as in *Jokinen* or automatically activate existing content on a mobile unit as in *Hurst*.

The Office Action cites *Jokinen* and *Hurst* as teaching or suggesting a method for automatic management of terminal-dependent information as recited in independent claim 1. The Office Action recognizes that *Jokinen* fails to disclose remapping of the unique identity to properties, including the type of terminal, but sets forth that *Hurst* teaches remapping.

Applicant submits that *Hurst* teaches a method for over-the-air activation of protected content pre-programmed on a memory device that is operable on mobile terminals. As such, regardless of which embodiment, applicability of *Hurst* is limited to devices with protect content stored in memory, such as memory cards with pre-programmed content and computer-read only memory with pre-programmed content. Consequentially, the teachings of *Hurst* are unrelated to remapping of the unique identity properties, including the type of terminal.

Moreover, Applicant sets forth that the “binding” taught in *Hurst* does not correlate in any way to “remapping,” as recited in independent claim 1. As discussed in *Hurst* Col. 13 lines 24-35, and Col. 15 lines 8, 9, 10 and 13-17, “binding” includes noting/recording a particular user, subscriber, or device for the purpose of limiting access to protected content stored on a memory device. Applicant notes that the act of noting/recording does not alter or act upon the device, whereas the present invention provides for remapping of the unique identity.

Yet further, Applicant respectfully notes that while it may have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of *Jokinen* and *Hurst* in order to authorize subsequent service or content activation to authorized users while minimizing unauthorized users from access to the service options or content, as discussed above, Applicant respectfully notes that this is not an object of the present invention. The combining of *Jokinen* and *Hurst* does not give rise to the method to automatically adapt information for a relevant terminal, as is the object of the present invention, as discussed above.

Thus based on the deficiencies set forth above, Applicant respectfully asserts that *Jokinen* and *Hurst*, whether viewed singly or in combination, do not teach, fairly suggest or can be combined to disclose, at least, a method for the automatic management of terminal-dependant information, including, “the detection of the unique identity of the terminal that the subscriber is currently using; the remapping of the unique identity to properties, including type of terminal; the adaptation of information about properties to services for the type of terminal detected; and the presentation of the adapted information on the said terminal,” as recited in independent claim 1.

As pointed out in M.P.E.P. § 2143.03, “[t]o establish prima facie obviousness of a claimed invention, all the claimed limitations must be taught or suggested by the prior art,” *In re Royka*, 409 F.2d 981, 180 USPQ 580 (CCPA 1974). Since this criterion has not been met, Applicant respectfully asserts that the rejection under 35 U.S.C. § 103 should be withdrawn because *Jokinen* and *Hurst* do not teach, suggest, or can be combined to disclose each feature of independent claim 1. Additionally, claims 2-9, which depend from independent claim 1, are allowable at least for the reasons presented above for the allowance of independent claim 1, and the additional features recited therein.

Dependent Claim 2

With specific regard to dependent claim 2, the Office Action indicates that *Hurst* teaches “detecting the type of terminal being carried out by monitoring and probing signal links.” Applicant respectfully notes that in the cited *Hurst* portions in the Official

Action, there is no teaching of monitoring and probing signal links to determine the type of terminal. The cited portions of Col. 9 refer to the transmittal of information to an activation or operation service provider. Further, the cited portions of Col. 11 and 12 discuss the return of requested data via WAP, SMS, EMS, MMS, etc. that may include identification information. *Hurst* teaches a request-response exchange of information that may include identification information. The combination of *Jokinen* and *Hurst* thus again fails to fairly teach or suggest the present invention, which provides for the monitoring and probing for the purpose of determining a terminal type.

Thus with regard to dependent claim 2, Applicant respectfully asserts that based on the reasons presented above, *Jokinen* and *Hurst* fail to teach, suggest, or can be combined to disclose “detecting the type of terminal being carried out by monitoring and probing signal links.”

CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicant's undersigned representative to expedite prosecution.

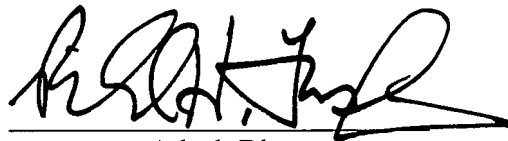
If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 04-2223. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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By:



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